



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FISH & RICHARDSON PC
P.O. BOX 1022
MINNEAPOLIS MN 55440-1022

COPY MAILED

JUN 3 0 2008

OFFICE OF PETITIONS

In re Patent No. 7,304,036
Issue Date: December 4, 2007
Application No. 10/796,719
Filed: March 9, 2004
Attorney Docket No. 14184-043001

NOTICE

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28. On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**.

This application is no longer entitled to small entity status. Accordingly, all future fees paid in this application must be paid at the large entity rate.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Inquiries related to this communication should be directed to the undersigned at (571) 272-3213.


Cheryl Gibson-Baylor

Petitions Examiner
Office of Petitions


Irvin Dingle

Petitions Examiner

cc: Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110

JFW

2008 MAR 11 PM 2:41

Attorney's Docket No.: 14184-043001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark G. Currie et al.

Art Unit :

RECEIVED

Serial No. : 10/796,719

Examiner :

MAR 13 2008

Filed : March 9, 2004

Conf. No. :

Patent No. : 7,304,036

178730/2008 CKHLOK 00000007 10796719

Issue Date : December 4, 2007

01 FC:1501

144 OFFICE OF PETITIONS

Title : METHODS AND COMPOSITIONS FOR THE TREATMENT OF
GASTROINTESTINAL DISORDERS

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTIFICATION TO WITHDRAW SMALL ENTITY STATUS (37 C.F.R. §1.28(B)) AND
PAYMENT OF DEFICIENT FEES (37 C.F.R. §1.28(C))

Applicants hereby notify the Patent and Trademark Office that the applicant is no longer claiming small entity status as of September 1, 2007. The issue fee was paid in this case on October 23, 2007 at the small entity rate in error. Accordingly, Applicants submit payment (via deposit account authorization) for the deficient issue fee which should have been paid at the large entity rate.

Adjustment date: 06/30/2008 CKHLOK
10/23/2007 INTEFSH 00006535 061050 10796719
01 FC:2501 720.00 CR

The deficiency in fees owed is calculated below.

Type of Fee Paid	Fee as Large Entity	Fee Originally Paid (small)	Deficiency
Issue Fee/Publication Fee	1740.00	1020.00	720.00
Total Deficiency Owed:			720.00

03/12/2008 DALLEH 00000003 061050 10796719

01 FC:1461 720.00 DA

Adjustment date: 06/30/2008 CKHLOK
03/12/2008 DALLEH 00000003 061050 10796719
01 FC:1461 720.00 CR

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date; March 6, 2008

Applicant's: Mark G. Czerw et al.
Serial No.: 10/796,719
Filed: March 9, 2004
Patent No.: 7,304,036
Issue Date: December 4, 2007
Page: 2 of 2

Attorney's Docket No.: 14184-043001

The Office is hereby authorized to charge Deposit Account No. 06-1050 in the amount of \$720. Please reference Attorney Docket No. 14184-043001.

Respectfully submitted,

Date: 5 MARCH 2008


Anita J. Meiklejohn, Ph.D.
Reg. No. 35,283

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

2486877E06